

CERTIFIED TRUE COPY

RECEIVED AND FILED
WITH THE
N.J. BOARD OF DENTISTRY
ON 1-18-96 cm

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

By: Kathy Rohr
Deputy Attorney General
Division of Law, 5th Floor
124 Halsey Street
P. O. Box 45029
Newark, New Jersey 07102
Tel: (201) 648-4735

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY
DOCKET NO.

In the Matter of)	
)	
JAMES J. LAVALLA, D.D.S.)	Administrative Action
)	
Licensed to Practice Dentistry)	AMENDMENT TO REINSTATEMENT
in the State of New Jersey)	ORDER FILED DECEMBER 23, 1993
_____)	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of a Petition from respondent for modification of the terms and conditions of the Reinstatement Order entered by the Board on December 23, 1993.

The Petition was supported by documents attesting to the rehabilitation of Dr. Lavalla with respect to his drug addiction including, but not limited to, a report from Dr. Frederick Rotgers of the New Jersey Dental Association Chemical Dependency Program. The Board also considered letters from Ray Newstadt, M.S., of New Start Associates and Kathleen O. Parsons, Director of Professional Affairs of the Pennsylvania Dental Association indicating that respondent successfully completed the Association's three-year Health and Well-Being Program; a letter from Robert Bruce Wolf, Chief of the Commonwealth of

Pennsylvania's Professional Health Monitoring Programs, indicating that respondent successfully completed all of the requirements of an April 15, 1994 Pennsylvania State Board of Dentistry Order; and a letter from Dr. Richard DeLong, respondent's current employer.

On December 6, 1995, the Board considered the entire record in this matter. The Board finding that good cause exists for the entry of the within Order,

IT IS, THEREFORE, ON THIS 17th DAY OF JANUARY, 1996,

ORDERED THAT:

1. The requirement that respondent practice dentistry only under the direct supervision of another licensed dentist, as set forth in paragraph 1(a) of the December 21, 1993 Consent Order, shall be terminated commencing upon entry of the within Order.

2. The requirement of weekly urine monitoring on a random basis, as set forth in paragraph 1(b) of the Reinstatement Order, shall be reduced to random urine monitoring 15 times during the one-year period commencing upon entry of the within Order. Urine monitoring shall be discontinued at the end of the one-year period provided that the results of all tests within such one-year period were negative.

3. Respondent's attendance at AA/NA support groups, as set forth in paragraph 1(c) of the Reinstatement Order, shall continue at a minimum frequency of once per week commencing upon entry of the within Order.

4. Respondent's continued attendance for therapy, as required in paragraph 1(e) of the Reinstatement Order, shall be

on a voluntary basis.

5. Dr. Lavalla shall be permitted to prescribe controlled dangerous substances commencing upon entry of the within Order in accordance with the following terms and conditions:

(a) Dr. Lavalla shall obtain and exclusively employ prescription pads which provide triplicate copies of each prescription and which are consecutively numbered.


(b) Dr. Lavalla shall provide the original of the prescription to the patient. He shall place one copy in the patient's chart and submit one copy of all prescriptions to the Board on a monthly basis. He shall be required to account for each consecutive number regardless of whether the particular prescription was voided or was not used for any purpose whatsoever. Further, Dr. Lavalla shall submit with each prescription for a controlled dangerous substance a copy of the patient's treatment record in order to confirm the need for the prescription.

(c) Dr. Lavalla shall submit copies of these prescriptions in consecutive order accompanied by patient records when required no later than the fifth day of each month for all prescriptions written in the previous month. The prescriptions shall be submitted to Agnes Clarke, Executive Director of the State Board of Dentistry, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, so that they may be reviewed and monitored by the Board.

6. Respondent may apply for modification of the terms and conditions of the within Order no sooner than one (1) year from

the entry date herein.

7. All other terms and conditions of the Reinstatement Order of December 23, 1993 that are not inconsistent with the within Order shall continue in full force and effect.



SAMUEL FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY